

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-6 are pending in this application, Claims 1-6 having been amended to clarify features previously presented and to correct typographical errors therein. Therefore, the amendments are not believed to raise a question of new matter.

In the outstanding Office Action, Claims 1-6 were rejected under 35 U.S.C. §112, second paragraph; Claims 1 and 3-5 were rejected under 35 U.S.C. § 102(b) as anticipated by Heimbürger (U.S. Patent No. 5,995,154); and Claims 2 and 6 were indicated as allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph, and to include all of the limitations of the base claim.

As an initial matter, Applicants acknowledge with appreciation the identification of allowable subject matter in Claims 2 and 6.

Regarding the rejection of Claims 1-6 under 35 U.S.C. §112, second paragraph, Claims 1-6 have been amended such that the rejection is now believed to be moot. Thus, Applicants respectfully request that the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

By way of review, independent Claim 1 presently recites an image processing apparatus for converting an interlaced image data to a non-interlaced image data, comprising:

a motion detection unit configured to compare pixel data of an interlaced image to perform a motion detection;

***a history value generation unit configured to generate a history value indicating the number of times that a determination is continuously made that the interlaced image is a still image, based on a motion detection result from the motion detection unit; and***

a pixel data interpolation unit configured to mix pixel data generated by interpolation in a field and pixel data generated by interpolation between a plurality of fields, based on pixel data of the interlaced image at a mixture ratio in accordance with the motion detection result and the history value, ***wherein the larger the history value***

***is, the larger the amount of pixel data generated by interpolation between fields the pixel data interpolation unit mixes.*** [Emphasis added].

Heimbürger is directed to a process for converting interlaced frames into progressive frames comprising a change of frame frequency by interpolation and motion compensation. However, Applicants respectfully submit that Heimbürger is silent regarding generating a history value generation unit configured to generate a history value indicating the number of times that a determination is continuously made that the interlaced image is a still image, based on a motion detection result from the motion detection unit,... wherein the larger the history value is, the larger the amount of pixel data generated by interpolation between fields the pixel data interpolation unit mixes. Hence, Heimbürger does not teach or suggest “a history value generation unit,” as defined in independent Claim 1.

Consequently, Heimbürger does not disclose or suggest all of the elements in amended Claim 1. M.P.E.P. § 2131 requires for anticipation that each and every feature of the claimed invention must be shown in as complete detail as is contained in the claim. Accordingly, it is respectfully submitted that Heimbürger does not anticipate independent Claim 1.

Therefore, independent Claim 1 (and Claims 2-4 dependent therefrom) is believed to patentably define over the applied reference.

Should the present rejection be maintained, Applicants respectfully request that the next Office Communication specifically identify where the corresponding history value indicating the number of times that a determination is continuously made that the interlaced image is a still image, based on a motion detection result from the motion detection unit is believed to be in Heimbürger.

Independent Claim 5, while differing in scope and statutory class from Claim 1, patentably defines over Heimbürger for substantially the same reasons as Claim 1. Accordingly, it is respectfully submitted that Heimbürger does not anticipate or render

obvious the features of independent Claim 5. Therefore, independent Claim 5 (and Claim 6 dependent therefrom) is believed to patentably define over the applied reference.

Consequently, in view of the present amendment and in light of the above discussions, it is believed that the outstanding rejection is overcome, and the application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)

**Scott A. McKeown**  
**Registration No. 42,866**